

REMARKS

The Office Action dated October 20, 2008 has been considered by Applicants.

Enclosed is a Petition for Three-Month Extension of Time. Also, enclosed is a check in the amount of \$1110 to cover the Petition fee.

Claims 1, 4-5, 9-10, and 13 have been currently amended. Support for the amendments can be found in Applicants' specification in Page 4, line 32 to Page 5, line 10, for example, of the PCT publication. Claims 2-3, 6-8, 11 and 12 have been currently cancelled

The Examiner has requested a new oath. Applicants are in the process of obtaining signature of each inventor and will forward the fully executed Oath to the USPTO as soon as it is available.

Claims 6-8 have been rejected under 35 USC §101. Claims 6-8 have been currently cancelled.

Claims 1-13 rejected under 35 USC §102(b) as being anticipated by "Share it" (IST-200-28703) are traversed herein.

Independent Claim 1 has been currently amended to include a consumer electronic apparatus having a network connection for a Peer-to-Peer network and a digital recorder, and having an operational mode for querying the network about programs recorded from a broadcast by storage devices at remote peers connected to the Peer-to-Peer network. The programs have associated metadata descriptive of the programs. The metadata further include a respective CRID identifier uniquely identifying each of the programs. The apparatus comprising: (a) an interface for receiving a query from a user of the consumer electronic apparatus, the query containing keywords input by the user about the program the user queries on the Peer-to-Peer network; (b) means for querying inventories of the storage devices, the metadata of the content available from peers on the Peer-To-

Peer network gets matched against the keywords entered; and (c) means for receiving returned information from the network about the matching query results, and wherein query results having the same unique identifiers are clustered and represented as a single item to the user.

Applicants sincerely believe that currently amended independent claim 1, along with dependent claims 4, 5, and 9, is not disclosed in the cited references and, therefore, respectfully request reconsideration of the rejection.

Independent claim 10 has been currently amended to include a method for use on a Peer-to-Peer network having an operational mode for querying the network about programs recorded by a consumer electronic apparatus via a digital recorder provided therewith and further storage devices connected to the Peer-to-Peer network from a broadcast, and to present multiple identical ones among a plurality of query results the programs having associated metadata descriptive of the programs, the metadata further including a respective CRID identifier uniquely identifying the programs, the method comprising the steps of: (a) receiving a query from a user of the consumer electronic apparatus, the query containing keywords about the program the user queries on the Peer-to-Peer network; (b) performing matching between the keywords contained in the received query and the metadata of the programs available from peers on the Peer-to-Peer network; (c) returning information about the matching query results to the user, and the query results having the same unique identifiers are clustered and presented as a single item to the user.

Applicants believe that currently amended independent claim 10, along with dependent claim 13, is not disclosed in the cited references and, therefore, respectfully request reconsideration of the rejection.

In Applicants' invention the problem addressed is what is experienced by a user of an electronic consumer apparatus that is capable of recording broadcast data via a digital recorder and, in particular, the problem of the user making a request via Peer-to-Peer (P2P) network to obtain and view a particular program from the network and being presented with a display showing numerous versions from a plurality of digital data recorders (peers) connected to the P2P network which the user has access via his/her own apparatus.

This problem can be created when a number of slightly different versions of the same program have been recorded by different apparatus connected to the network. Each of these versions is identified and displayed to the user as being a selection option. In an extreme circumstance, the user could be presented with a display screen full of different versions of the same broadcast program. This can lead to confusion to the user and can be frustrating, as he/she has no way of knowing what the difference is between the versions and why the different versions are being displayed. This problem is specific to broadcast data, as typically each version will be effectively the same, as far as the user is concerned and, in particular, viewing and listening terms.

Applicants have identified and solved this problem, as can be seen in currently amended independent claims 1 and 10.

The user of Applicants' invention is provided with an interface that allows her/him to input selected keywords relating to a query for a program to be retrieved from the network. The keywords can relate to the particular recorded broadcast that is being sought from the network. On the basis of the keywords, a search is performed using the metadata relating to the content available from the digital recorders on the network. The information relating to the matching query results are returned to the user's apparatus. However, rather than simply present all of the information to the user (which

information could have a number of versions of the same broadcast), the apparatus and method of Applicants' invention cluster the query results which have the same identifiers and represent the same to the user as a single item, which can then be selected. Applicants' invention solves the problem addressed in a novel and inventive manner.

The cited reference "Share It" relied upon by Examiner Bhatia discloses the ability of broadcast items to be made available to a number of different apparatus that are provided as part of the same network and provides a mechanism by which one user can search for a broadcast item to be retrieved from the other apparatus on the network, however, there is no disclosure of how to deal with the results received.

If the teaching of the "Share It" document were adopted, it would do no more than achieve the display of each of the query results and, therefore, would create the problem of the possibility of numerous versions of the same broadcast being represented to the user. This is the very problem that Applicants' current invention addresses and overcomes.

Therefore, Applicants sincerely believe that independent claims 1 and 10, along with the remaining dependent claims, are not disclosed in the cited references.

Unless the undersigned has misinterpreted the Office Action, this amendment should place the claims in condition for allowance. If, for any reason, the claims are not in condition for allowance it is because of a mistake or a misunderstanding of the Office Action and, in such case, the Examiner is invited to call the undersigned at (918) 587-2000 so that any remaining amendments to place the application in condition for allowance can hopefully be achieved in a telephone

interview. If any further charges or refunds are associated with this application, the Commissioner is hereby authorized to charge Deposit Account No. 08-1500.

Respectfully Submitted

HEAD, JOHNSON & KACHIGIAN

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